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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

CASE NO. 2:20-CR-0194 DJC

Plaintiff,

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DANIEL STEWART LUKE BURROUGHS,

DATE: November 16, 2023

Defendants.

TIME: 9:00 a.m.
COURT: Hon. Daniel J. Calabrett

STIPULATION

1. By previous order, this matter was set for status on November 16, 2023.

2. By this stipulation, defendants now move to continue the status conference until January 18, 2024, at 9:00 a.m., and to exclude time between November 16, 2023, and January 18, 2024, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has produced discovery associated with this case that includes 12,793 Bates numbered documents. This includes bank records; memoranda of interviews, audio recordings, and video recordings. The government has also provided forensic images of electronic devices to the defense.

b) Counsel for defendants have had a substantive meeting with the government for the purpose of discussing issues relevant to the case. The parties desire additional time to address certain

1 matters that were discussed at the meeting. Counsel for defendants also desire additional time to review
2 the discovery for this matter, conduct investigation and research related to the charges, and to consult
3 with their clients.

4 c) Counsel for defendants believe that failure to grant the above-requested continuance
5 would deny counsel the reasonable time necessary for effective preparation, taking into account the
6 exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the case as
9 requested outweigh the interest of the public and the defendant in a trial within the original date
10 prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq.,
12 within which trial must commence, the time period of November 16, 2023 to January 18, 2024,
13 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it
14 results from a continuance granted by the Court at defendants' request on the basis of the Court's
15 finding that the ends of justice served by taking such action outweigh the best interest of the public and
16 the defendant in a speedy trial.

17 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
19 must commence.

20
21 IT IS SO STIPULATED.

1 Dated: October 26, 2023

PHILLIP A. TALBERT
UNITED STATES ATTORNEY

5 Dated: October 26, 2023

1 /s/ JUSTIN LEE
2 JUSTIN LEE
3 Assistant United States Attorney

6 Dated: October 16, 2023

7 /s/ DAVID D. FISCHER
8 DAVID D. FISCHER
9 Counsel for Defendant
10 Daniel Stewart

11 Dated: October 16, 2023

12 /s/ CANDICE L. FIELDS
13 CANDICE L. FIELDS
14 Counsel for Defendant
15 Luke Burroughs

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 26th day of October, 2023.

16 /s/ Daniel J. Calabretta
17 THE HONORABLE DANIEL J. CALABRETTA
18 UNITED STATES DISTRICT JUDGE